UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,853	10/24/2001	Scott C. Harris	DIY0	9828

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	**Applicant(s)**
Office Action Summary	09/682,853	HARRIS, SCOTT C.
	Examiner	**Art Unit**	
	YASIN M. BARQADLE	2456	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>3/24/2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-3,5-10,13,14,16-20,24 and 25</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-3,5-10,13,14,16-20,24 and 25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the

fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Since this application is eligible for continued examination under 37 CFR

1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality

of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on March 24, 2009 has been entered.

Response to Amendment

2.   The amendment filed on March 24, 2009 has been fully considered but

are not deemed persuasive in view of the new grounds of rejection.

Claims 21 and 23 are withdrawn.

- Claims 1-3, 5-10 and 13-14, 16-20 are presented for examination.

Response to arguments

In response to claim 7 defining information user to purchase a product, the

Examiner notes that Rajan disclose "Another type of request may be for

information about departure/arrival parameters and gate instructions

associated with purchased airline tickets" and a notification of a first class

flight to below $1000. (col. 15, lines 50-67).

Regarding applicant's arguments where the results are received from multiple

different sources (page 16). The Examiner notes that Steele is relied upon to

teach such limitation. [Steele page 9, paragraphs 0129-0134. see also 0110

and fig. 3).

It is also noted that claim 1 requires at least one template in order Brett to

meet the invention as explained.

Claim objections

Claim 24 is objected because it depends on itself.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and
distinctly claiming the subject matter which the applicant regards as his invention.

1.   Claim 1 recites the limitation "said different templates" in line 18. There

is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

2.   Claims 1,3 and 13-14, 17-18, and 20 are rejected under 35 U.S.C.

103(a) as being unpatentable over Brett et al US. PUB (6023685) in view of

Steele et al USPUB (20020046084) and further in view Brandt et al US. PUB

(5892905).

  As per claims 1, 9, 17 and 20, Brett teaches et al teach a method (abstract),

  comprising:

      sending a request for information from an interactive device (Fig. 1,

terminals 14) to a first server (Fig. 1, 12 where said interactive device receiving

from said first server, information from said request to query sources of

information (see fig. 1); including a first results from querying of information

contained within internet based webpage (col. 7,lines 39-67), including a

second source of information contained within a second internet based

webpage, and a third source of information within a third Internet based

webpage (central computer 12, fig. 1 includes database 15,16 and 17

respectively including Internet based webpage as displayed in figures 5 to 8);

reformatting said first and second results using at least one template where the

template includes a form that includes non variable textual information that

stays constant, and open portions for said first and second information that

changes based on said results received from one of said sources of

information,n arrangement that arranges said non variable information and

said variable information (see fig. 10 and 11);

using said raw information to fill in said open portions on said template (col.

10, lines 23-40 and figs 10-11 (the sponsor name is constant while bid status

varies. See also figs 5a to 7); and

     displaying said template, with said information filled therein, on said

interactive device (col. 8, lines 37-62 and col. 10, lines 23-40. See figs 5 to 6

and particularly fig. 11 sec C status information).

Although Brett shows substantial features of the claimed invention including

querying internet based webpage sources of information at the server (col.

7,lines 39-67 central computer 12, fig. 1 includes database 15,16 and 17

respectively including Internet based webpage as displayed in figures 5 to 8),

Brett does not explicitly show using information from said request to query

sources of information including a second and a third source of information

within Internet based webpage (server). Nonetheless, this feature is well known

in the art and would have been an obvious modification of the system disclosed

by Brett, as evidenced by Steele et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable

multimedia information system that supports electronic commerce where

customized information such as stock quotes, travel information, advertising,

and e-mail are communicated to portable interactive device (abstract and

paragraph 0072), disclose using information from said request to query sources

of information including a second and a third source of information within

Internet based webpage (server) [page 9, paragraphs 0129-0134. see also 0110

and fig. 3]. Giving the teaching of Steele et al, a person of ordinary skill in the

art would have readily recognized the desirability and the advantage of

modifying Brett by employing the system of Steele et al in order to provide

users beneficial up-to-date information that is consistent with their preference

of services and products.

Steele et al further teaches a portable device where results are in a form that

cannot be viewed on interactive device (paragraphs 025,047 and 072).

Brett and Steele teach the invention as discloses above. However, Brett and

Steele are silent about opening plural Internet pages on plural different

Internet servers. Nonetheless, the feature of opening plural Internet pages on

plural different Internet servers is well known in the art as evidenced by Brandt

et al US. PUB (5892905). Brandt teaches "By inserting variables

associated with more than one software application, a single web

page can access data from these multiple software applications. The

data is parsed into the HTML template by Internet/application

gateway 332 and delivered to web server 222, which delivers the

output to web browser 212." Col. 15, line 15-40). Brandt further teaches

"For example, an input variable can be included in an HTML page

that specifies the next HTML page to be sent to web browser 212. In

that case, when the HTML page is submitted back to web server

222, the Internet/application gateway 332 parses out the variable

and directs web server 222 to deliver the specified HTML page back

to web browser 212." (col. 16, lines 14-46. See fig. 6-8). It would have

obvious to one ordinary skill in the art at the time of the invention to include

multiple template library system of Brandt with the system of Brett and Steele

in order to be able to retrieve and open various HTML template library for

customer appropriate viewing. "Upon submission of the HTML template web

server 222, the CGI parses the variables and delivers them to the FMIG. The

FMIG then directs the software application to start the process specified by the

wf variable and passes the two application variables to the appropriate software

application. The software application would then retrieve the appropriate data

from the applications corresponding to the variables. Thus, by using the

appropriate HTML variables a web client is able to work with many different

applications through a single web page. This interaction can be completely

transparent to the web client or may be apparent from the interface web page."

(Col. 25, lines 2-20).

As per claim 3, Brett teaches the invention, wherein said interactive device is a

device that only displays text, and using variable portions comprises changing

said information from an HTML format into a text format, using only a portion

of said another format for dsiplay (col. 7 lines 39-58 and col. 10, lines 23-40).

As per claim 10, Brett and Steele et al teach a method as in claim 2, wherein

said reformatting comprises reformatting said information into an XML form

[col. 8, lines 15-24].

As per claims 13 and 14, Steele teaches the invention, wherein said using to

form a formatted display comprises changing said HTML response (Internet

pages) from said Internet website into another format, wherein said HTML

response that cannot be viewed on said interactive handheld device , an using

only a portion of said another format, where in said another format is a format

the can be viewed on said interactive device (paragraphs 025, 047 and 072.

see also 0105 and -109).

As per claim 16, Brett teaches the invention further comprising automatically

reporting changes to at least one of the websites a specified increments (Col.

10, lines 19-38).

As per claim 18, Brett teaches method as in claim 5, wherein said personal

information which is sent includes logon information including at least a logon

name and a password (col. 6, lines 50-65).

3.   Claims 2 and 7-8 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rajan et al US. Patent (6633910) .

As per claim 2, Rajan teaches the method comprising:

        sending a request for information from an interactive device (fig. 1,

devices 39,43,41 and 47) to a first server (fig. 1 server 33) , wherein said

sending comprises sending one of multiple different kinds of requests to said

first server, each different kind of request operative to request a different type

of information, where a first request is a request for information from a first

website and a second request is a request for information form a second

website different than said first website (col. 6, lines 32-55 and col. 13, items

1-5; ticket information, arrival/departure information, stock quotes, account

balance and/or email information are requested from different website in server

21-25 of fig. 1 col., 6, lines 12-55 and col. 14, lines 23-40);

using variable information from said result without using formatting

information, to form raw information (col. 17, lines 61 to col. 17 lines 37

(bidding change and bank statement change are variable information rendered

to templates); storing at least one template, where the template includes a form

that includes non variable textual information that stays constant every time

said template is used, and open portions for said variable information that

changes based on said results received from said source of information, where

said non variable information contains a textual description associated with

said variable information, and wherein said template includes an arrangement

that arranges said non variable information and said variable information (col.

8,lines 55-65 and col. 17, lines 61 to col. 17 lines 37 using said raw

information to fill in said open portions on said template (open slots in the

output template are filled with retrieved stock, flight bidding and bank

statement information); said storing stores multiple different templates (col.

8,lines 55-65 and col. 17, lines 61 to col. 17 lines 37, and using said one of

said templates for displaying said results; and displaying said template, with

said information filled therein, on said interactive device (col. 8, lines 39 to col.

9, line 7).

Although Rajan shows substantial features of the claimed invention as

explained above, Rajan does not explicitly show selecting a templates that

corresponds to one of kinds of requests, including a first template for said first

website, and a second different template for said second website.

Nonetheless, the features of selecting a template that corresponds for a first

web site and a second different template for another website is an obvious

feature of Rajan's multiple input templates and output templates associated

with ticket information, arrival/departure information, stock quotes, account

balance and/or email information retrieved from different website in server 21-

25 of fig. 1. One ordinary skill in the art would appreciate to include the

template creating feature of Rajan a selection mechanism for selecting a

different template that corresponds each website that provides particular

information such ticket information, arrival/departure information, stock

quotes and account balance. In this way each website would be identified

differently independent of the variable information rendered.

As per claim 7, Rajan teaches method as in claim 2, wherein said kind of

information is an indication to purchase a product, and said template is a

template to obtain variables to allow purchase of the product ("Another type of

request may be for information about departure/arrival parameters and gate

instructions associated with purchased airline tickets" col. 15, lines 63 to col.

16, line 7).

Regarding claim 8, Rajan a user balance information and where said template

is a template allowing entry of variables from raw information to fill in bank

balance information [Col. 13, lines 44-63 and col. 15, lines 50-67].

4.   Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rajan et al US. Patent (6633910) in view of Steele et al USPUB

(20020046084).

Regarding claim 5, Although Rajan shows substantial features of the claimed

invention including querying internet based webpage sources of information at

the server (col. 7,lines 39-67) and wherein said interactive device also stores

personal information associated with a user of the interactive device, and

wherein said sending comprises sending a request for information which

includes some of said personal information (col. 15, lines 49-67), Rajan does

not explicitly show requesting the interactive device to identify more

information about specific query to be made to said request to query a publicly

accessible sources of information.

Nonetheless, this feature is well known in the art and would have been an

obvious modification of the system disclosed by Rajan, as evidenced by Steele

et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable

multimedia information system that supports electronic commerce where

customized information such as stock quotes, travel information, advertising,

and e-mail are communicated to portable interactive device (abstract and

paragraph 0072), disclose requesting the interactive device to identify more

information about specific query to be made to said request to query a publicly

accessible sources of information) [page 9, paragraphs 0129-0134. see also

0110 and fig. 3]. Giving the teaching of Steele et al, a person of ordinary skill in

the art would have readily recognized the desirability and the advantage of

modifying Rajan by employing the system of Steele et al in order to provide

users additional information matching their desires and consistent with their

preference of services and products.

As per claim 6, Rajan teaches method as in claim 5, wherein said personal

information which is sent includes logon information including at least a logon

name and a password (col. 15, lines 63 to col. 16, line 7).

5.   Claim 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Brett in view of Steele and Brandt.

Although Brett shows substantial features of the claimed invention as

explained above including "Use of a template allows the bid status updates to

be made with transmission of only the numerical data, which in combination

with the template, presents the comprehensive auction status update to

participants." Col. 10, lines 23-31). Brett does not explicitly show multiple

different kinds of requests, storing multiple different templates and selecting

one the said templates that corresponds to one of kinds of requests and using

the stored templates based on said kind of requests so that a first request uses

a first template and a second request uses a second different template.

Nonetheless, the features of selecting a template that corresponds to a first

request and a second different template for another request is an obvious

feature of Brett's use of templates.   One ordinary skill in the art would

appreciate to include multiple template in the system of Brett to store different

the response of different auction bids. In such a way each received auction is

stored in a separate different template In this way each auction bid response

can be identified differently independent of the variable information rendered.

As per claim 24 and 25, the Examiner takes Official Notice Internet pages to

include a bank balance and stock monitoring page to be displayed for a

requesting user. One ordinary skill in the art would do so to conveniently

access stock and/or bank information at a computing device conveniently.

Conclusion

     Any inquiry concerning this communication or earlier communications

from the examiner should be directed to Yasin Barqadle whose telephone

number is 571-272-3947. The examiner can normally be reached on 9:00 AM

to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yasin M Barqadle/

Primary Examiner, Art Unit 2456